REMARKS

This is a full and timely response to the outstanding final Office Action mailed December 20, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-3, 6, 9, 11, 13, 15, and 21-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Kuwata, et al. ("Kuwata," U.S. Pub. No. 20030072031). Applicant respectfully traverses this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the Kuwata reference. Applicant discusses the Kuwata reference and Applicant's claims in the following.

A. The Kuwata Disclosure

Kuwata discloses a "web-based document organizer and proofing system" for use with a "document server." Kuwata, paragraph 0040, lines 1-3. As is described by Kuwata, the system includes a server, preferably the GL-1010 sold by Toshiba America Business Solutions, Inc. Kuwata, paragraph 0040, lines 3-5. The server includes a front panel with

which a user can interface. Kuwata, paragraph 0041, lines 1-2. That front panel can be operated by a user to "scan or copy documents *at the server.*" Kuwata, paragraph 0042, lines 1-4 (emphasis added). Furthermore, Kuwata states the following:

> [0047] A user can scan hardcopy documents into the proofing system repository by selecting a "Scan" and "Send destination." *From the front panel, the user shall be presented with an optional proofing system as a scan destination.* For a non-registered user, the default Public folder of the proofing system is shown. For registered users, the default Public folder and private folder are shown. For Administrator users, the DEPARTMENT folder is shown in addition to the default Public and private folders. *The user selects a folder and proceeds to scan.* The user can change any scan job parameters as needed. A document that contains scan pages is automatically created by the proofing system. The name of the document generated by the proofing system is displayed on the front panel. *Upon completion of the scan job, the user can use a web browser to access the proofing system to manage or edit the scanned files.* An Administrator user can also select the DEPARTMENT folder to scan hardcopy to the proofing system repository.
>
> [Kuwata, paragraph 0047 (emphasis added)]

From the above excerpt, it can be appreciated that Kuwata's server can be used as a walk-up device to scan documents through manipulation of the "front panel" of the server. It is only after the scanning has been completed that the scanned document may be accessed with a web browser. In other words, a user cannot *initiate* scanning in Kuwata's system using a browser.

B.   Applicant's Claims

Kuwata fails to teach several of Applicant's claim limitations. Applicant discusses some of those claim limitations in the following.

1.   Claims 1-3 and 6

Independent claim 1 provides as follows (emphasis added):

> 1.   A method for scanning a document, comprising:
>
> *receiving a scan request from a user browser*;
>
> uploading content to the user browser;
>
> *receiving selections made with the user browser*; and
>
> scanning the document in accordance with the user selections.

(a)   Receiving a Scan Request from a User Browser

Regarding claim 1, Kuwata does not teach a method for scanning a document comprising "receiving a scan request from a user browser". As is noted above, Kuwata only discloses scanning through interfacing with a "front panel" of a server. Kuwata fails to anticipate claim 1 for at least this reason.

In the final Office Action, it is argued that Kuwata teaches "receiving a scan request from a user browser" in paragraph 8 and paragraph 47. Kuwata's paragraph 8 provides as follows:

> In view of the aforementioned difficulties and drawbacks with previous type systems, the invention contemplates a client server based system wherein the server is accessible by the client across a network, preferably the Internet, utilizing a browser. The client computer may send

print jobs to the server through the browser and is not required to have a printer driver installed on the client. The server may also receive input from faxes or file transfers from the client via the browser. Additionally, the server may also function as a document scanner. Documents may be stored on the server which can be viewed, edited, copied, moved, renamed or deleted by the client utilizing a browser. The client may print or fax documents from the server through the browser.

As can be appreciated from the above excerpt, Kuwata says nothing of a "scan request", i.e., a request to scan a document. Instead, Kuwata only states that an *alread-scanned* document can be "viewed, edited, copied, moved, renamed or deleted by the client utilizing a browser." Clearly, this is not "receiving a scan request from a user browser" within the meaning of Applicant's disclosure. Applicant notes for the record that it is well established in the law that claim terms are to be interpreted in light of the disclosure. *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 34 USPQ2d 1321 (Fed. Cir. 1995)(in banc), *aff'd*, 517 U.S. 370, 38 USPQ2d 1461 (1996) ("Claims must be read in view of the specification, of which they are a part").

Kuwata's paragraph 47 provides as follows:

A user can scan hardcopy documents into the proofing system repository by selecting a "Scan" and "Send destination." From the front panel, the user shall be presented with an optional proofing system as a scan destination. For a non-registered user, the default Public folder of the proofing system is shown. For registered users, the default Public folder and private folder are shown. For Administrator users, the DEPARTMENT folder is shown in addition to the default Public and private folders. The user

selects a folder and proceeds to scan. The user can change any scan job parameters as needed. A document that contains scan pages is automatically created by the proofing system. The name of the document generated by the proofing system is displayed on the front panel. Upon completion of the scan job, the user can use a web browser to access the proofing system to manage or edit the scanned files. An Administrator user can also select the DEPARTMENT folder to scan hardcopy to the proofing system repository.

As can be appreciated from the above excerpt, Kuwata again says nothing of a "scan request", i.e., a request to scan a document. Instead, Kuwata only states that an *alread-scanned* document can be "changed." Clearly, this is not "receiving a scan request from a user browser" within the meaning of Applicant's disclosure.

(b) Receiving Selections Made with the User Browser

Furthermore, Applicant notes that Kuwata does not teach "receiving selections made with the user browser". Again, scanning in the Kuwata system is controlled from the front panel of Kuwata's server, therefore the server is not accessed (at least in a control context) using a browser. It therefore follows that no "selections" are made with a "user browser" that a document is scanned "in accordance with".

Regarding the final Office Action's identification of Kuwata's paragraphs 8 and 47, Applicant refers to the discussion of those paragraphs provided in the foregoing.

(c) Dependent Claims

With particular regard to dependent claim 2, Kuwata does not teach uploading content to a user browser in the form of "at least one control screen" at least because all scanning control is exercised at the server front panel in the Kuwata system.

Regarding dependent claim 3, Kuwata further does not teach uploading content to a user browser comprising "at least one application that is configured to perform a designated task on a computing device".

Regarding dependent claim 21, Kuwata does not teach that the "receiving, uploading, and scanning" of claim 1 are performed by a "scanning device". Instead, as is noted above, Kuwata teaches a *server* that can be used to directly input a scan request. Kuwata does not state, however, that the server is a scanning device or actually performs the scanning itself. Presumably, the scanning is actually performed by a *separate* scanning device that is connected to the server.

2. Claims 9 and 22

Independent claim 9 provides as follows (emphasis added):

> 9. A system for scanning a document, comprising:
> *means for receiving a scan request from a user browser*;
> means for uploading content to the user browser;
> *means for receiving selections made with the user browser*; and
> means for scanning the document in accordance with the user selections.

Regarding claim 9, Kuwata does not teach "means for receiving a scan request from a user browser" or "means for receiving selections made with the user browser" at least for reasons described above in relation to claim 1. Claims 9 and 22 are believed to allowable over Kuwata for at least these reasons.

With particular regard to dependent claim 22, Kuwata does not teach that all "means" of claim 9 are provided on a "scanning device". Applicant refers to the discussion of claim 21 above.

3. Claims 13, 15, and 23

Independent claim 13 provides as follows (emphasis added):

> 13. A system for scanning a document, comprising:
> *logic configured to receive a scan request from a user browser*;
> logic configured to upload content to the user browser;
> *logic configured to receive selections made with the user browser*; and
> logic configured to scan the document in accordance with the user selections.

Regarding claim 13, Kuwata does not teach "logic configured to receive a scan request from a user browser" or "logic configured to receive selections made with the user browser" at least for reasons described in the foregoing. Claim 13 and its dependents are believed to allowable over Kuwata for at least those reasons.

Regarding dependent claims 15 and 23, Applicant refers back to the discussions of claims 3 and 21 above.

C.   Conclusion

Due to the shortcomings of the Kuwata reference described in the foregoing, Applicant respectfully asserts that Kuwata does not anticipate Applicant's claims. Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

II.   Claim Rejections - 35 U.S.C. § 103(a)

A.   Rejection of Claims 4, 5, 7, 8, 12, and 16

Claims 4, 5, 7, 8, 12, and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Kuwata</u> in view of <u>Dance, et al.</u> ("Dance," U.S. Pub. No. 2002/0076111). Applicant respectfully traverses this rejection.

As is identified above, Kuwata does not teach explicit limitations of Applicant's claims. In that Dance does not remedy the deficiencies of the Kuwata reference, Applicant respectfully submits that claims 4, 5, 7, 8, 12, and 16, which depend from claims 1, 9, and 13, are allowable over the Kuwata/Dance combination for at least the same reasons that claims 1, 9, and 13 are allowable over Kuwata.

B.   Rejection of Claims 10 and 14

Claims 10 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Kuwata</u> in view of <u>Somashekar, et al.</u> ("Somashekar," U.S. Pub. No. 2002/0116477). Applicant respectfully traverses this rejection.

As is identified above, Kuwata does not teach explicit limitations of Applicant's claims. In that Somashekar does not remedy the deficiencies of the Kuwata reference, Applicant respectfully submits that claims 10 and 14, which depend from claims 9 and 13,

are allowable over the Kuwata/Somashekar combination for at least the same reasons that claims 9 and 13 are allowable over Kuwata.

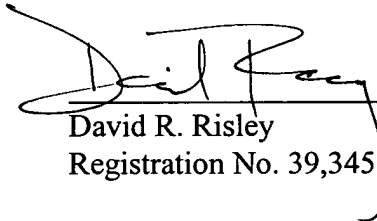### C. Rejection of Claims 17-20 and 24

Claims 17-20 and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Kuwata</u> in view of <u>Dance</u> in further view of <u>Somashekar</u>. Applicant respectfully traverses this rejection.

As is identified above, Kuwata and Dance do not teach explicit limitations of Applicant's claims. In that Somashekar does not remedy the deficiencies of the Kuwata and Dance references, Applicant respectfully submits that claims 17-20 and 24, which depend from claim 17 is allowable over the Kuwata/Dance/Somashekar combination for at least the same reasons that claim 17 allowable over Kuwata/Dance.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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